



Montana Fish, Wildlife & Parks

Misc

2300 Lake Elmo Drive
Billings, MT 59105

NOTICE OF DECISION February 20, 2002

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks

Director's Office	Lands Section
Parks Division	Design & Construction
Fisheries Division	Legal Unit
Wildlife Division	Regional Supervisors

Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
Don Kendall, DNRC Area Manager, Southern Land Office
Albert Brown, Carbon County Commissioner

Ladies and Gentlemen:

A draft Environmental Assessment (EA) was prepared for Carbon County's replacement of three existing culverts with a steel bridge where Dutch Lane crosses Silvertip Creek (a tributary to the Clarks Fork of the Yellowstone River). The draft EA was circulated for 30 days, and legal notices were published in the Billings Gazette, Helena Independent Record, and Carbon County News, as well as Montana's electronic bulletin board. The Montana Historical Society commented that with the low likelihood that this project would impact cultural properties, a resource inventory is unwarranted at this time.

The Department has decided to issue a Stream Protection Act permit to Carbon County to proceed with their project as proposed.

This project is subject to appeal, which must be submitted to the FWP Director in writing, and postmarked within 30 days of the date on this decision notice. The appeal must specifically describe the basis for the appeal, explain how the appellant has previously commented to the department or participated in the decision-making process, and lay out how FWP might address the concerns in the appeal. If you have questions regarding this decision notice, please contact me at 247-2951 or hnyberg@state.mt.us.

Sincerely,

Harvey E. Nyberg
Regional Supervisor

Carbon